

EXHIBIT A

ALABAMA SJIS CASE DETAIL					
PREPARED FOR: CHRISTY MEDLIN					
	County: 01	Case Number: CV-2022-900375.00	Court Action:		
	Style: EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE				
					Real Time
Case					
Case Information					
County: 01-JEFFERSON - BIRMINGHAM	Case Number: CV-2022-900375.00	Judge: DEB:DONALD E. BLANKENSHIP			
Style: EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE					
Filed: 02/07/2022	Case Status: ACTIVE	Case Type: NEGLIGENCE-GENERAL			
Trial Type: JURY	Track:	Appellate Case: 0			
No of Plaintiffs: 2	No of Defendants: 1				
Damages					
Damage Amt: 0.00	Punitive Damages: 0.00	General Damages: 0.00			
No Damages:	Compensatory Damages: 0.00				
Pay To:	Payment Frequency:	Cost Paid By:			
Court Action					
Court Action Code:	Court Action Desc:	Court Action Date:			
Num of Trial days: 0	Num of Liens: 0	Judgment For:			
Disposition Date of Appeal:	Disposition Judge: :	Disposition Type:			
Revised Judgement Date:	Minstral:	Appeal Date:			
Date Trial Began but No Verdict (TBNV1):					
Date Trial Began but No Verdict (TBNV2):					
Comments					
Comment 1:					
Comment 2:					
Appeal Information					
Appeal Date:	Appeal Case Number:	Appeal Court:			
Appeal Status:	Orgin Of Appeal:				
Appeal To:	Appeal To Desc:	LowerCourt Appeal Date:			
Disposition Date Of Appeal:	Disposition Type Of Appeal:				
Administrative Information					
Transfer to Admin Doc Date:	Transfer Reason:	Transfer Desc:			
Number of Subponeas:	Last Update: 02/07/2022	Updated By: AJA			

Parties					
Party 1 - Plaintiff INDIVIDUAL - WEBB EDDIE LEE SR.					
Party Information					
Party: C001-Plaintiff	Name: WEBB EDDIE LEE SR.	Type: I-INDIVIDUAL			
Index: D STEELSUMMIT	Alt Name:	Hardship: No	JID: DEB		
Address 1: C/O MORGAN & MORGAN		Phone: (205) 000-0000			

Address 2:	2317 3RD AVE. N., ST.102		
City:	BIRMINGHAM	State:	AL
SSN:	XXX-XX-X999	DOB:	
		Zip:	35203-0000
		Country:	US
		Sex:	Race:

Court Action			
Court Action:	Court Action Date:		
Amount of Judgement: \$0.00	Court Action For:	Exemptions:	
Cost Against Party: \$0.00	Other Cost: \$0.00	Date Satisfied:	
Comment:	Arrest Date:		
Warrant Action Date:	Warrant Action Status:	Status Description:	

Service Information			
Issued:	Issued Type:	Reissue:	Reissue Type:
Return:	Return Type:	Return:	Return Type:
Served:	Service Type	Service On:	Served By:
Answer:	Answer Type:	Notice of No Service:	Notice of No Answer:

Attorneys					
Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	FIS010		FISCHER ERBY JOHNSON II	EFISCHER@FORTHEPEOPLE.COM	(659) 204-6364

Party 2 - Plaintiff INDIVIDUAL - WEBB ROBERTA

Party Information					
Party:	C002-Plaintiff	Name:	WEBB ROBERTA	Type:	I-INDIVIDUAL
Index:	D STEELSUMMIT	Alt Name:		Hardship:	No JID: DEB
Address 1:	C/O MORGAN & MORGAN			Phone:	(205) 000-0000
Address 2:	2317 3RD AVE N., STE. 102				
City:	BIRMINGHAM	State:	AL	Zip:	35203-0000
SSN:	XXX-XX-X999	DOB:		Country:	US
				Sex:	Race:

Court Action			
Court Action:	Court Action Date:		
Amount of Judgement: \$0.00	Court Action For:	Exemptions:	
Cost Against Party: \$0.00	Other Cost: \$0.00	Date Satisfied:	
Comment:	Arrest Date:		
Warrant Action Date:	Warrant Action Status:	Status Description:	

Service Information			
Issued:	Issued Type:	Reissue:	Reissue Type:
Return:	Return Type:	Return:	Return Type:
Served:	Service Type	Service On:	Served By:
Answer:	Answer Type:	Notice of No Service:	Notice of No Answer:

Attorneys

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	FIS010		FISCHER ERBY JOHNSON II	EFISCHER@FORTHEPEOPLE.COM	(659) 204-6364

Party 3 - Defendant BUSINESS - STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL**Party Information**

Party:	D001-Defendant	Name:	STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL	Type:	B-BUSINESS
Index:	C WEBB EDDIE	Alt Name:		Hardship:	No JID: DEB
Address 1:	C/O CT CORPORATION SYSTEM			Phone:	(205) 000-0000
Address 2:	2 N. JACKSON ST, STE. 605				
City:	MONTGOMERY	State:	AL	Zip:	36104-0000 Country: US
SSN:	XXX-XX-X999	DOB:		Sex:	Race:

Court Action

Court Action:		Court Action Date:
Amount of Judgement:	\$0.00	Exemptions:
Cost Against Party:	\$0.00	Date Satisfied:
Comment:		Arrest Date:
Warrant Action Date:		Status Description:

Service Information

Issued:	02/07/2022	Issued Type:	C-CERTIFIED MAIL	Reissue:	Reissue Type:
Return:		Return Type:		Return:	Return Type:
Served:		Service Type:		Service On:	Served By:
Answer:		Answer Type:		Notice of No Service:	Notice of No Answer:

Attorneys

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	000000		PRO SE		

Financial**Fee Sheet**

Fee Status	Admin Fee	Fee Code	Payor	Payee	Amount Due	Amount Paid	Balance	Amount Hold	Garnish Party
ACTIVE	N	AOCC	C001	000	\$8.56	\$8.56	\$0.00	\$0.00 0	
ACTIVE	N	CONV	C001	000	\$0.00	\$22.43	\$0.00	\$0.00 0	
ACTIVE	N	CVAP	C001	000	\$100.00	\$100.00	\$0.00	\$0.00 0	
ACTIVE	N	CV05	C001	000	\$306.00	\$306.00	\$0.00	\$0.00 0	
ACTIVE	N	JDMD	C001	000	\$100.00	\$100.00	\$0.00	\$0.00 0	
ACTIVE	N	VADM	C001	000	\$45.00	\$45.00	\$0.00	\$0.00 0	
Total:					\$559.56	\$581.99	-\$22.43	\$0.00	

Financial History													
Transaction Date	Description	Disbursement Account	Transaction Batch	Receipt Number	Amount	From Party	To Party	Money Type	Admin Fee	Reason	Attorney	Operator	
02/08/2022	CREDIT	CONV	2022089	2162210	\$22.43	C001	000		N		DOG		
02/08/2022	RECEIPT	AOCC	2022089	2162200	\$8.56	C001	000		N		DOG		
02/08/2022	RECEIPT	CVAP	2022089	2162220	\$100.00	C001	000		N		DOG		
02/08/2022	RECEIPT	CV05	2022089	2162230	\$306.00	C001	000		N		DOG		
02/08/2022	RECEIPT	JDMD	2022089	2162240	\$100.00	C001	000		N		DOG		
02/08/2022	RECEIPT	VADM	2022089	2162250	\$45.00	C001	000		N		DOG		

Case Action Summary				
Date:	Time	Code	Comments	Operator
2/7/2022	8:44 PM	FILE	FILED THIS DATE: 02/07/2022 (AV01)	AJA
2/7/2022	8:44 PM	EORD	E-ORDER FLAG SET TO "Y" (AV01)	AJA
2/7/2022	8:44 PM	TDMJ	JURY TRIAL REQUESTED (AV01)	AJA
2/7/2022	8:44 PM	SCAN	CASE SCANNED STATUS SET TO: N (AV01)	AJA
2/7/2022	8:44 PM	STAT	CASE ASSIGNED STATUS OF: ACTIVE (AV01)	AJA
2/7/2022	8:44 PM	ASSJ	ASSIGNED TO JUDGE: DONALD E. BLANKENSHIP (AV01)	AJA
2/7/2022	8:44 PM	ORIG	ORIGIN: INITIAL FILING (AV01)	AJA
2/7/2022	8:44 PM	C001	C001 PARTY ADDED: WEBB EDDIE LEE SR. (AV02)	AJA
2/7/2022	8:44 PM	C001	INDIGENT FLAG SET TO: N (AV02)	AJA
2/7/2022	8:44 PM	C001	LISTED AS ATTORNEY FOR C001: FISCHER ERBY JOHNSON	AJA
2/7/2022	8:44 PM	C001	C001 E-ORDER FLAG SET TO "Y" (AV02)	AJA
2/7/2022	8:44 PM	C002	C002 PARTY ADDED: WEBB ROBERTA (AV02)	AJA
2/7/2022	8:44 PM	C002	LISTED AS ATTORNEY FOR C002: FISCHER ERBY JOHNSON	AJA
2/7/2022	8:44 PM	C002	C002 E-ORDER FLAG SET TO "Y" (AV02)	AJA
2/7/2022	8:44 PM	C002	INDIGENT FLAG SET TO: N (AV02)	AJA
2/7/2022	8:44 PM	D001	D001 PARTY ADDED: STEELSUMMIT HOLDINGS, INC. D/B/A (AV02)	AJA
2/7/2022	8:44 PM	D001	CERTIFIED MAI ISSUED: 02/07/2022 TO D001 (AV02)	AJA
2/7/2022	8:44 PM	D001	D001 E-ORDER FLAG SET TO "Y" (AV02)	AJA
2/7/2022	8:44 PM	D001	INDIGENT FLAG SET TO: N (AV02)	AJA
2/7/2022	8:44 PM	D001	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)	AJA
2/7/2022	8:44 PM	ECOMP	COMPLAINT E-FILED.	FIS010
2/9/2022	9:07 AM	ESCAN	SCAN - FILED 2/9/2022 - NOTICE	KAD

Images				
Date:	Doc#	Title	Description	Pages
2/7/2022 8:44:17 PM	1	CIVIL_COVER_SHEET	CIRCUIT COURT - CIVIL CASE	1
2/7/2022 8:44:17 PM	2	COMPLAINT		13
2/7/2022 8:44:56 PM	3	COMPLAINT - TRANSMITTAL	E-NOTICE TRANSMITTALS	2
2/7/2022 8:44:56 PM	4	COMPLAINT - SUMMONS	E-NOTICE TRANSMITTALS	1
2/9/2022 9:07:42 AM	5	NOTICE	TO CLERK	2

 END OF THE REPORT



ELECTRONICALLY FILED

2/7/2022 8:44 PM

01-CV-2022-900375.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA
01 JACQUELINE ANDERSON SMITH, CLERK

Date of Filing: 02/07/2022

Judge Code:

State of Alabama
 Unified Judicial System
 Form AR Civ-93 Rev. 9/18

**COVER SHEET
 CIRCUIT COURT - CIVIL CASE**
 (Not For Domestic Relations Cases)

Case

01 JACQUELINE ANDERSON SMITH, CLERK

Date of Filing: 02/07/2022

Judge Code:

GENERAL INFORMATION

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
EDDIE LEE WEBB SR. ET AL v. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL

First Plaintiff: Business Individual
 Government Other

First Defendant: Business Individual
 Government Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

TORTS: PERSONAL INJURY

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonness
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: _____

TORTS: PERSONAL INJURY

- TOPE - Personal Property
- TORE - Real Properly

OTHER CIVIL FILINGS

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Service

OTHER CIVIL FILINGS (cont'd)

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP - Contempt of Court
- CONT - Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- CVUD - Eviction Appeal/Unlawful Detainer
- FORJ - Foreign Judgment
- FORF - Fruits of Crime Forfeiture
- MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB - Protection From Abuse
- EPFA - Elder Protection From Abuse
- QTLB - Quiet Title Land Bank
- FELA - Railroad/Seaman (FELA)
- RPRO - Real Property
- WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- COMP - Workers' Compensation
- CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F INITIAL FILING

A APPEAL FROM
 DISTRICT COURT

O OTHER

R REMANDED

T TRANSFERRED FROM
 OTHER CIRCUIT COURT

HAS JURY TRIAL BEEN DEMANDED? YES NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)

RELIEF REQUESTED: MONETARY AWARD REQUESTED NO MONETARY AWARD REQUESTED

ATTORNEY CODE:

FIS010

2/7/2022 8:44:20 PM

/s/ ERBY JOHNSON FISCHER MR.

Date

Signature of Attorney/Party filing this form

MEDIATION REQUESTED: YES NO UNDECIDED

Election to Proceed under the Alabama Rules for Expedited Civil Actions:

YES NO



ELECTRONICALLY FILED
2/7/2022 8:44 PM

01-CV-2022-900375.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA
JACQUELINE ANDERSON SMITH, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE LEE WEBB, SR., an individual, §
and **ROBERTA WEBB**, an individual, §
§

PLAINTIFFS, §
§

vs. §

CIVIL ACTION NO.: _____

§

STEELSUMMIT HOLDINGS, INC. d/b/a §
MAGIC STEEL, a corporation; and §
FICTITIOUS PARTY DEFENDANTS: §

No. 1, whether singular or plural, being the person or entity who or which loaded the steel materials involved in the January 29, 2022 incident made the basis of this case;

No. 2, whether singular or plural, being the person or entity who or which secured the steel materials involved in the January 29, 2022 incident made the basis of this case;

No. 3, whether singular or plural, being the person or entity who or which was responsible for inspecting, verifying, or ensuring the steel materials involved in the incident made the basis of this case were properly loaded on the date of the incident described herein;

No. 4, whether singular or plural, being the person or entity who or which was responsible for inspecting, verifying, or ensuring the steel materials involved in the incident made the basis of this case were properly secured on the date of the incident described herein;

No. 5, whether singular or plural, being the person or entity who or which failed to properly load the steel materials involved in the January 29, 2022 incident made the basis of this case;

No. 6, whether singular or plural, being the person or entity who or which failed to properly secure the steel materials involved in the January 29, 2022 incident made the basis of this case;

No. 7, whether singular or plural, being the person or entity who or which caused or allowed the steel materials to fall on and/or strike Plaintiff EDDIE LEE WEBB, SR. on January 29, 2022;

No. 8, whether singular or plural, being the person or entity who or which was the employer, master, or principal of Fictitious Party Defendants Nos. 1 through 7, separately and severally, at the time of the January 29, 2022 incident made the basis of this case;

No. 9, whether singular or plural, being the person or entity for whom Fictitious Party Defendants Nos. 1 through 7, separately and severally, were performing some type of service or duty on January 29, 2022;

No. 10, whether singular or plural, being the person or entity on whose behalf and/or at whose direction the steel materials involved in the incident made the basis of this case were being loaded, secured, transported, unloaded, or otherwise handled on January 29, 2022 when the incident described herein occurred;

No. 11, whether singular or plural, being the person or entity who or which had supervisory authority related to the training, supervision, and retention of one or more Fictitious Defendants No. 1 - 7, separately and severally, at the time of the incident described herein;

No. 12, whether singular or plural, being that person, firm, corporation, or entity who or which

was the owner, lessor, or lessee of the premises(es) where any act, omission, or injury related to the incident made the basis of this case occurred;

No. 12, whether singular or plural, being that person, firm, corporation, or entity who or which controlled or had the right to control the premises(es) where any act, omission, or injury related to the incident made the basis of this case occurred;

No. 13, whether singular or plural, being that person, firm, corporation, or entity who or which was the owner, seller, distributor, or otherwise owned or had the right to control the steel materials involved in the incident on the date of the occurrence described herein;

No. 14, whether singular or plural, being that person, being firm, corporation, or entity – other than those described above – who or which acted, failed to act, or otherwise caused or contributed to cause the incident made the basis of this lawsuit and/or any injuries sustained by the Plaintiff on January 29, 2022;

No. 15, whether singular or plural, being the person or entity that provided any kind of liability insurance coverage for any named Defendant and/or Fictitious Party Defendant herein on the date of the incident made the basis of this lawsuit;

No. 16, whether singular or plural; being that person or entity who or which issued any policy of insurance which provided coverage of any kind whatsoever for the injuries and damages suffered by Plaintiff EDDIE LEE WEBB, SR. because of the January 29, 2022 incident made the basis of this lawsuit;

No. 17, whether singular or plural, being that person or entity who or which provided any insurance coverage of any kind, including excess and/or umbrella coverage, for any of the materials involved in the January 29, 2022 incident made the basis of this lawsuit; and/or for any employee, agent, servant, or contractor involved in any way in the incident made the basis of this case; and/or for any of the Named or Fictitious Defendants listed or described herein;

No. 18, whether singular or plural, being that entity – other than those entities described above – which is the parent, subsidiary, affiliate, or successor-in-interest of any of the named or fictitiously described Defendants in this lawsuit;

No. 19, whether singular or plural, being that person or entity – other than those described hereinabove – whose negligent, reckless, wanton, or otherwise wrongful actions or failures to act caused or contributed to cause the incident made the basis of this case; and,

No. 20, whether singular or plural, being that person or entity – other than those persons or entities described hereinabove – whose negligent, reckless, wanton, or otherwise wrongful actions or failures to act caused or contributed to cause the injuries and damages suffered by the Plaintiffs as a result of the January 29, 2022 incident made the basis of this case.

Plaintiffs aver that the identities of the Fictitious Party Defendants are otherwise unknown to them at this time, or, if their names are known to the Plaintiffs, their identities as proper party Defendants are not known but will be substituted by amendment when ascertained, in accordance with the Alabama Rules of Civil Procedure.

DEFENDANTS.

COMPLAINT

STATEMENT OF THE PARTIES

1. Plaintiff EDDIE LEE WEBB, SR. is an individual over the age of nineteen (19) years and a resident of Tallapoosa County, Alabama who was severely and permanently damaged on January 29, 2022 in Jefferson County, Alabama.

2. Plaintiff ROBERTA WEBB is the spouse of Plaintiff Eddie Lee Webb, Sr., is an individual over the age of nineteen (19) years, and is a resident of Tallapoosa County, Alabama.

3. Defendant STEELSUMMIT HOLDINGS, INC. d/b/a MAGIC STEEL (hereafter "MAGIC STEEL") is a Delaware corporation with a facility in Morgan County, Alabama, who did business by agent in Jefferson County, Alabama at all times relevant to this Complaint.

4. Fictitious Party Defendants No. 1 through 20, as described in the caption of this Complaint, are those other persons, firms, corporations, or other entities – whether singular or plural – whose negligence, recklessness, wantonness, or otherwise wrongful actions or failures to act caused or contributed to cause the injuries and damages suffered by the Plaintiffs, as set forth and described herein. Plaintiffs aver that the true and correct names of Fictitious Party Defendants 1-20 are unknown to them at this time or, if their names are known, their identities as proper party defendants are not known but will be substituted by amendment when ascertained, in accordance with the Alabama Rules of Civil Procedure.

STATEMENT OF THE FACTS

5. Plaintiffs adopt and reallege all prior paragraphs as if set forth fully herein.

6. On January 29, 2022, Plaintiff Eddie Lee Webb was a truck driver who was tasked

to transport a load of steel products for, on behalf of, and/or at the request of Defendant MAGIC STEEL.

7. Upon information and belief, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1 through 7 were responsible for properly loading the steel products onto Plaintiff Eddie Lee Webb, Sr.'s commercial vehicle on January 29, 2022.

8. Upon information and belief, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1 through 7 were responsible for properly securing the loaded steel products onto Plaintiff's commercial truck before transport.

9. Upon information and belief, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1 through 7 failed to properly load the steel products onto Plaintiff's commercial vehicle and/or failed to properly secure the steel products once they were loaded onto Plaintiff's truck.

10. Upon information and belief, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1 through 7 used improper, unsafe, and/or incorrect materials when attempting to secure the steel products once they were loaded onto Plaintiff's truck.

11. Upon information and belief, a steel chain used to secure the steel materials on Plaintiff's truck broke, causing or allowing the steel materials to fall from Plaintiff's truck and strike Plaintiff Eddie Lee Webb Sr.'s body as he stood nearby.

12. As a result of the shifting or falling materials, Plaintiff EDDIE LEE WEBB, SR. was caused to suffer catastrophic and permanent physical injuries, including, but not limited to, crush injuries to his lower extremities requiring Plaintiff's left foot and right leg to be

amputated as a direct result. In addition, Plaintiff has suffered and will continue to suffer other physical injuries, extreme pain and suffering, loss of income and loss of future earning abilities, permanent physical handicaps, ongoing and future medical care needs, past and future medical bills and expenses, out of pocket costs and expenses, lost enjoyment of life, mental anguish, and emotional distress.

13. As a result of the incident set forth above, Plaintiff ROBERTA WEBB was caused to suffer loss of companionship, love, company, fellowship, society, affection, services, and comfort of her husband, Plaintiff Eddie Lee Webb, Sr., and will continue to suffer such loss of consortium in the future.

COUNT ONE
NEGLIGENCE AND/OR WANTONNESS

14. Plaintiffs adopt and reallege all prior paragraphs as if set forth fully herein.

15. On January 29, 2022, in Jefferson County, Alabama, Plaintiff EDDIE LEE WEBB, SR. suffered severe, permanent, and catastrophic injuries when he was struck by steel product that was caused or allowed to fall onto his body.

16. Upon information and belief, the steel product that struck Plaintiff had been loaded and/or secured to Plaintiff's truck by Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20.

17. At all times relevant hereto, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20 owed Plaintiff Eddie Lee Webb, Sr. various duties of care, including, without limitation:

- a) The duty to properly and safely load the steel product onto Plaintiff's truck in a manner that did not cause or allow the load to shift or fall from the truck;
- b) The duty to properly and safely secure the steel product onto Plaintiff's truck in a manner that did not cause or allow the load to shift or fall from the truck;
- c) The duty to ensure the items or things used to secure the load to Plaintiff's truck were appropriate and safe for use to secure steel product for transport.

18. Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20 breached the duties of care owed to Plaintiff Eddie Lee Webb, Sr. on January 29, 2022 by:

- a) Negligently, recklessly and/or wantonly loading the steel product onto Plaintiff's truck in a manner that was improper or unsafe and that caused, allowed, or made the load more susceptible to shifting or falling;
- b) Negligently, recklessly and/or wantonly failing to secure and/or improperly securing the steel product onto Plaintiff's truck, such that it was caused or allowed to shift and/or fall from the truck;
- c) Negligently, recklessly and/or wantonly using improper and/or unsafe items or things to secure the load to Plaintiff's truck, including use of a chain that snapped or broke and caused or allowed the load to shift and/or fall onto Plaintiff.

19. Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20's actions and/or failures to act were negligent, reckless, careless, heedless, and/or were undertaken in willful or wanton disregard for the rights or safety of others, including Plaintiff Eddie Lee Webb, Sr.

20. As a proximate result of the negligent, reckless, and/or wanton actions or failures to act by Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20, Plaintiff Eddie Lee Webb, Sr. was caused to suffer injuries and damages, including, without limitation, the following:

- a) Severe physical injury and damage, including crush damage to his lower

extremities requiring amputation of his left foot and his right leg;

- b) Extreme physical pain and suffering, which Plaintiff has suffered and will continue to suffer in the future;
- c) Permanent physical injury and damage;
- d) Medical bills, costs, and expenses – including hospital, physician, and other related charges and expenses – which Plaintiff has incurred and will continue to incur in the future;
- e) Out-of-pocket costs and expenses, which Plaintiff has incurred and will continue to incur in the future;
- f) Lost income;
- g) Loss of future earning capacity;
- h) Lost enjoyment of life; and
- i) Severe mental anguish and emotional distress.

21. The negligence, recklessness, willfulness, and/or wantonness of Defendant MAGIC STEEL combined and concurred with the negligence, recklessness, willfulness, wantonness, or otherwise wrongful conduct of all other named and/or Fictitious Party Defendants, causing Plaintiff EDDIE LEE WEBB, SR. to suffer injuries and damages as a direct and proximate result.

WHEREFORE, PREMISES CONSIDERED, Plaintiff EDDIE LEE WEBB, SR. demands judgment against the named and fictitious defendants, jointly and severally, for compensatory and punitive damages in an amount to be determined by a struck jury, with interest and costs.

COUNT TWO

RESPONDEAT SUPERIOR/VICARIOUS LIABILITY

22. Plaintiffs adopt and reallege all prior paragraphs as if set forth fully herein.

23. On January 29, 2022, in Jefferson County, Alabama, Plaintiff EDDIE LEE WEBB, SR. suffered severe, permanent, and catastrophic injuries when he was struck by steel product that was caused or allowed to fall onto his body.

24. Upon information and belief, the steel product that struck Plaintiff had been loaded and/or secured to Plaintiff's truck by Defendant MAGIC STEEL, by and through its agents, servants, or employees, and/or one or more Fictitious Party Defendants Nos. 1-20.

25. On January 29, 2022, one or more Fictitious Party Defendants Nos. 1-20 were the agent(s), servant(s), and/or employee(s) of Defendant MAGIC STEEL and were acting within the line and scope of said agency, service, or employment at the time of the incident made the basis of this case.

26. Alternatively, one or more Fictitious Party Defendants Nos. 1-20 were acting with the express, implied, and/or apparent authority of Defendant MAGIC STEEL, such that Defendant MAGIC STEEL is vicariously liable for the negligent, reckless, wanton, or otherwise wrongful actions or failures to act on the part of one or more Fictitious Party Defendants Nos. 1-20 on the occasion made the basis of this lawsuit.

27. As a proximate result of the negligent, reckless, and/or wanton actions or failures to act by Defendant MAGIC STEEL, by and through its agents, servants, or employees, Plaintiff Eddie Lee Webb, Sr. was caused to suffer injuries and damages, including, without

limitation, the following:

- a) Severe physical injury and damage, including crush damage to his lower extremities requiring amputation of his left foot and his right leg;
- b) Extreme physical pain and suffering, which Plaintiff has suffered and will continue to suffer in the future;
- c) Permanent physical injury and damage;
- d) Medical bills, costs, and expenses – including hospital, physician, and other related charges and expenses – which Plaintiff has incurred and will continue to incur in the future;
- e) Out-of-pocket costs and expenses, which Plaintiff has incurred and will continue to incur in the future;
- f) Lost income;
- g) Loss of future earning capacity;
- h) Lost enjoyment of life; and
- i) Severe mental anguish and emotional distress.

28. The negligence, recklessness, willfulness, and/or wantonness of Defendant MAGIC STEEL combined and concurred with the negligence, recklessness, willfulness, wantonness, or otherwise wrongful conduct of all other named and/or Fictitious Party Defendants, causing Plaintiff EDDIE LEE WEBB, SR. to suffer injuries and damages as a direct and proximate result.

WHEREFORE, PREMISES CONSIDERED, Plaintiff EDDIE LEE WEBB, SR. demands

judgment against the named and fictitious defendants, jointly and severally, for compensatory and punitive damages in an amount to be determined by a struck jury, with interest and costs.

COUNT THREE
NEGLIGENT/WANTON HIRING, TRAINING, AND SUPERVISION

29. Plaintiffs adopt and reallege all prior paragraphs as if set forth fully herein.
30. On January 29, 2022, in Jefferson County, Alabama, Plaintiff EDDIE LEE WEBB, SR. suffered severe, permanent, and catastrophic injuries when he was struck by steel product that was caused or allowed to fall onto his body.
31. Upon information and belief, the steel product that struck Plaintiff had been loaded and/or secured to Plaintiff's truck by Defendant MAGIC STEEL, by and through its agents, servants, or employees, and/or one or more Fictitious Party Defendants Nos. 1-20.
32. Defendant MAGIC STEEL negligently and/or wantonly hired and retained its agents, servant, and/or employees, including one or more Fictitious Party Defendants Nos. 1-20.
33. Further, Defendant MAGIC STEEL negligently and/or wantonly failed to adequately train, supervise, and/or monitor the activities of its agents, servants, or employees, including one or more Fictitious Party Defendants Nos. 1-20, and negligently and/or wantonly failed to detect or deter the negligent, wanton, or otherwise wrongful actions or failures to act undertaken by its agents, servants, or employees, including one or more Fictitious Party Defendants Nos. 1-20, on the date of the incident made the basis of this case.
34. The negligence and/or wantonness of Defendant MAGIC STEEL and one or more Fictitious Party Defendants Nos. 1-20, jointly and severally, was the proximate and/or

combined and concurring cause of Plaintiff EDDIE LEE WEBB, SR.'s injuries and damages, as set forth in Counts I and II, herein.

WHEREFORE, PREMISES CONSIDERED, Plaintiff EDDIE LEE WEBB, SR. demands judgment against the named and fictitious defendants, jointly and severally, for compensatory and punitive damages in an amount to be determined by a struck jury, with interest and costs.

COUNT FOUR
LOSS OF CONSORTIUM

35. Plaintiffs adopt and re-allege all prior paragraphs as if set forth fully herein.
36. On January 29, 2022, in Jefferson County, Alabama, Plaintiff EDDIE LEE WEBB, SR. suffered severe, permanent, and catastrophic injuries when he was struck by steel product that was caused or allowed to fall onto his body.
37. Upon information and belief, the steel product that struck Plaintiff had been loaded and/or secured to Plaintiff's truck by Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20.
38. As a result of the above-described incident, Plaintiff ROBERTA WEBB's spouse, Eddie Lee Webb, Sr., suffered severe injuries and damages, as set forth and described in Counts I and II of this Complaint.
39. Plaintiffs allege that the injuries and damages suffered by Eddie Lee Webb, Sr. were the direct and proximate result of the negligence, recklessness, willfulness, and/or wantonness of Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20, jointly and severally.

40. As a further consequence of the negligence, recklessness, willfulness, and/or wantonness of Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20, Plaintiff ROBERTA WEBB was caused to suffer the following injuries and damages:

- a) The loss of companionship of her husband, Eddie Lee Webb, Sr.;
- b) The loss of love, company, fellowship, cooperation, assistance, society, affection, services, and comfort of her husband, Eddie Lee Webb, Sr.; and
- c) The loss of the right to the continuation of the normal marital relationship with her husband, Eddie Lee Webb, Sr.

WHEREFORE PREMISES CONSIDERED, Plaintiff ROBERTA WEBB demands judgment against the named and fictitious defendants, jointly and severally, for compensatory damages for loss of consortium in an amount to be determined by a struck jury, with interest and costs.

COUNT FIVE
FICTITIOUS PARTIES

41. Plaintiffs adopt and re-allege every material averment in Counts One through Four of this Complaint as if fully set out herein, except that Plaintiffs substitute the words "Fictitious Party Defendants 1 - 20" for the named Defendant(s) in Counts One through Four, above.

42. Plaintiffs aver that the negligent, reckless, willful, wanton, or otherwise wrongful conduct of Fictitious Party Defendants 1-20 combined and concurred with the negligent, reckless, willful, wanton, or otherwise wrongful conduct of the named Defendant(s) herein to proximately cause the injuries and damages suffered by the Plaintiffs, as set forth and

described in Counts One through Four, above.

WHEREFORE PREMISES CONSIDERED, Plaintiffs EDDIE LEE WEBB, SR. and ROBERTA WEBB each demand judgment against the named and fictitious defendants, jointly and severally, for compensatory and punitive damages in an amount to be determined by a struck jury, with interest and costs.

JURY DEMAND

PLAINTIFFS DEMANDS A TRIAL BY STRUCK JURY ON ALL ISSUES IN THIS CAUSE.

Respectfully submitted,

/s/ Erby J. Fischer
Erby J. Fischer (FIS010)
MORGAN & MORGAN BIRMINGHAM, PLLC
2317 3rd Avenue North, Suite 102
Birmingham, Alabama 35203
T: 659.204.6363
F: 659.204.6388
efischer@forthepeople.com
COUNSEL FOR PLAINTIFFS

PLEASE SERVE THE DEFENDANT VIA CERTIFIED MAIL AT:

STEELSUMMIT HOLDINGS, INC. d/b/a MAGIC STEEL
Registered Agent: CT Corporation System
2 North Jackson Street, Suite 605
Montgomery, AL 36104



AlaFile E-Notice

01-CV-2022-900375.00

To: ERBY JOHNSON FISCHER MR.
efischer@forthepeople.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE
01-CV-2022-900375.00

The following complaint was FILED on 2/7/2022 8:44:17 PM

Notice Date: 2/7/2022 8:44:17 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900375.00

To: STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL
C/O CT CORPORATION SYSTEM
2 N. JACKSON ST, STE. 605
MONTGOMERY, AL, 36104

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE
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State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 01-CV-2022-900375.00
IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE		
NOTICE TO: STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL, C/O CT CORPORATION SYSTEM 2 N. JACKSON ST, STE. 605, MONTGOMERY, AL 36104 <i>(Name and Address of Defendant)</i>		
THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), ERBY JOHNSON FISCHER MR. <i>[Name(s) of Attorney(s)]</i>		
WHOSE ADDRESS(ES) IS/ARE: 2317 3rd Ave North, BIRMINGHAM, AL 35203 <i>[Address(es) of Plaintiff(s) or Attorney(s)]</i>		
THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.		
TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:		
<input type="checkbox"/> You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.		
<input checked="" type="checkbox"/> Service by certified mail of this Summons is initiated upon the written request of <u>EDDIE LEE WEBB SR.</u> <i>[Name(s)]</i> pursuant to the Alabama Rules of the Civil Procedure.		
02/07/2022 <i>(Date)</i>	/s/ JACQUELINE ANDERSON SMITH <i>(Signature of Clerk)</i>	By: <i>(Name)</i>
<input checked="" type="checkbox"/> Certified Mail is hereby requested. <i>(Plaintiff's/Attorney's Signature)</i>		
RETURN ON SERVICE		
<input type="checkbox"/> Return receipt of certified mail received in this office on _____. <i>(Date)</i>		
<input type="checkbox"/> I certify that I personally delivered a copy of this Summons and Complaint or other document to _____ in _____ County, <i>(Name of Person Served)</i> <i>(Name of County)</i>		
Alabama on _____. <i>(Date)</i> <i>(Address of Server)</i> _____		
<i>(Type of Process Server)</i>	<i>(Server's Signature)</i>	<i>(Server's Printed Name)</i>
<i>(Phone Number of Server)</i> _____		



NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY
CERTIFIED MAIL OR FIRST CLASS MAIL

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE

01-CV-2022-900375.00

To: CLERK BIRMINGHAM
clerk.birmingham@alacourt.gov

TOTAL POSTAGE PAID: \$8.56

Parties to be served by Certified Mail - Return Receipt Requested

STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL
C/O CT CORPORATION SYSTEM
2 N. JACKSON ST, STE. 605
MONTGOMERY, AL 36104

Postage: \$8.56

Parties to be served by Certified Mail - Restricted Delivery - Return Receipt Requested

Parties to be served by First Class Mail

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <input type="checkbox"/> Complete items 1, 2, and 3. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature X</p> <p><input type="checkbox"/> Agent</p> <p><input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes Delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL C/O CT CORPORATION SYSTEM 2 N. JACKSON ST, STE. 605 MONTGOMERY, AL 36104</p> <p>9590 9402 6456 0346 4010 16</p> <p>7021 2720 0003 4532 8947</p>		<p>S/C</p> <p>(V - 22 - 9 00375)</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Domestic Mail Restricted Delivery</p> <p><input type="checkbox"/> International Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>PS Form 3811, July 2020 PSN 7630-02-000-9053 Domestic Return Receipt</p>			

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
OFFICIAL USE	
<p>For delivery information, visit our website at www.usps.com.</p>	
<p>Certified Mail Fee</p>	
<p>\$ [Redacted]</p>	
<p>Extra Services & Fees (check box and item as appropriate)</p>	
<p><input type="checkbox"/> Return Receipt (Imprint) \$ [Redacted]</p>	
<p><input type="checkbox"/> Return Receipt (Electronic) \$ [Redacted]</p>	
<p><input type="checkbox"/> Certified Mail Restricted Delivery \$ [Redacted]</p>	
<p><input type="checkbox"/> Adult Signature Required \$ [Redacted]</p>	
<p><input type="checkbox"/> Adult Signature Restricted Delivery \$ [Redacted]</p>	
<p>Total Postage and Fees</p>	
<p>\$ [Redacted]</p>	
<p>Sent To</p>	
<p>Street and Apt. No. or P.O. Box No.</p>	
<p>City, State, Zip+4</p>	
<p>PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions</p>	